## No. 66

# **MICHIGAN SENATE**

## DAILY CALENDAR

THURSDAY, OCTOBER 7, 1999 10:00 a.m.

#### THIRD READING OF BILLS

— 1 ——

## SJR G Sen. Sikkema

State; employees and officers; lieutenant governor; amend constitution to allow governor to appoint a lieutenant governor if office becomes vacant.

Amends sec. 21, art. V of the state constitution.

Reported by Committee on Government Operations. Senate substitute (S-1).

Defeated, Tuesday, March 9; motion to reconsider vote pending.

SB 287 Sen. Van Regenmorter

Traffic control; violations; criminal road endangerment; establish and provide penalties.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 626c.

Reported by Committee on Judiciary.

Senate substitute (S-6).

**Committee recommended I.E.** 

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SB 390 Sen. Van Regenmorter

Criminal procedure; sentencing guidelines; crime of criminal road endangerment; include in sentencing guidelines

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

SB 300 Sen. Jaye 4 —

Weapons; licensing; time limit for permit to purchase pistol; extend.

Amends sec. 2 of 1927 PA 372 (MCL 28.422).

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 32, page 483.

Committee recommended I.E.

#### THIRD READING OF BILLS

— 5 —

SB 438 Sen. Jaye

Natural resources; hunting; firearm hunting from raised platforms; allow.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40113b.

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendments, see Senate Journal No. 44, page 729.

Defeated, Tuesday, May 18; motion to reconsider vote pending.

Committee recommended I.E.

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SB 158 Sen. Rogers

Worker's compensation; benefits; employee under the influence of intoxicating liquor or drugs; prohibit benefits paid.

Amends 1969 PA 317 (MCL 418.101 - 418.941) by adding sec. 306.

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 56, page 1215.

Committee recommended I.E.

SB 539 Sen. Bullard

Townships; employees and officers; cafeteria benefit plan; allow township to offer.

Amends sec. 110b of 1846 RS 16 (MCL 41.110b).

— 7 —

Reported by Committee on Local, Urban and State

Senate substitute (S-1).

Committee recommended I.E.

#### THIRD READING OF BILLS

<del>-----</del> 8 <del>------</del>

#### SB 703 Sen. Bullard

Townships; general law; adopting a state law; allow general law townships to adopt by reference.

Amends secs. 1, 4 & 5 of 1945 PA 246 (MCL 41.181 et seq.).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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#### SB 704 Sen. Bullard

Townships; charter; authority to adopt state law by reference; provide for.

Amends sec. 23 of 1947 PA 359 (MCL 42.23).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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#### HB 4244 Rep. Jamnick

Local government; audits; annual audit requirement; exempt intermunicipality committees.

Amends sec. 2d of 1968 PA 2 (MCL 141.422d).

I.E. House, June 1, 1999.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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## HB 4609 Rep. Jamnick

Local government; audits; intermunicipality committees; impose biennial audit requirement.

Amends 1957 PA 200 (MCL 123.631 - 123.636) by adding sec. 7.

I.E. House, June 1, 1999.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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## **HB** 4696 Rep. Kowall

Property; conveyances; prior conveyance of certain property to the Drayton Plains nature center; allow to be amended.

Amends sec. 2 of 1965 PA 7 & adds sec. 2a.

I.E. House, May 26, 1999.

Reported by Committee on Local, Urban and State Affairs.

**Committee recommended I.E.** 

— 13 ———

#### SB 718 Sen. Rogers

Vehicles; registration; vehicle identification numbers; prohibit buying, selling, or possession of under certain circumstances.

Amends sec. 415 of 1931 PA 328 (MCL 750.415).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 65, page 1384.

Committee recommended I.E.

#### THIRD READING OF BILLS

— 14 ———

#### SB 719 Sen. Hammerstrom

Criminal procedure; sentencing guidelines; the buying, selling, and possession of vehicle identification numbers and related equipment; provide for.

Amends sec. 16u, ch. XVII of 1927 PA 175 (MCL 777.16u).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 65, page 1385.

Committee recommended I.E.

\_\_\_\_\_ 15 \_\_\_\_\_

## SB 205 Sen. Gougeon

Land use; farmland and open space; preemption of local zoning and noise ordinances by right to farm act; provide for

Amends sec. 4 of 1981 PA 93 (MCL 286.474).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-3).

For Senate amendment, see Senate Journal No. 65, page 1385.

Committee recommended I.E.

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## **HB** 4099 Rep. Shackleton

Education; calendar; Friday before Labor day; require that school not be in session on and create school calendar task force.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

House substitute (H-4).

Reported by Committee on Education.

Defeated, Wednesday, October 6; motion to reconsider vote pending.

Committee recommended I.E.

## **GENERAL ORDERS**

\_\_\_\_ 17 \_\_\_\_\_

## SB 398 Sen. Jaye

Natural resources; fishing; reporting of ice fishing rescue warnings and civil infraction determinations on LEIN system; provide for.

Amends sec. 4 of 1974 PA 163 (MCL 28.214).

Reported by Committee on Hunting, Fishing and Forestry.

Committee recommended I.E.

\_\_\_\_ 18 \_\_\_\_\_

## SB 399 Sen. Jaye

Natural resources; fishing; reporting of individuals rescued from waters as result of ice fishing; require and provide for civil infraction determination and civil liability.

Amends part heading of pt. 465 & secs. 46501 & 46509 of 1994 PA 451 (MCL 324.46501 & 324.46509); adds sec. 46510 & repeals sec. 46510 of 1994 PA 451 (MCL 324.46510).

Reported by Committee on Hunting, Fishing and Forestry.

Committee recommended I.E.

#### **GENERAL ORDERS**

#### SB 378 Sen. Gougeon

Crimes; embezzlement; embezzlement by certain courtappointed guardians, conservators, personal representatives, trustees, and other fiduciaries; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 174a.

Reported by Committee on Judiciary. Committee recommended I.E.

\_\_\_\_ 20 —

## SB 597 Sen. Gougeon

Criminal procedure; sentencing guidelines; felony provisions for embezzlement by certain court-appointed guardians, conservators, personal representatives, trustees, and other fiduciaries; include in sentencing guidelines.

Amends sec. 16i, ch. XVII of 1927 PA 175 (MCL 777.16i). **Reported by Committee on Judiciary.** 

Reported by Committee on Judiciar

Senate substitute (S-1).

Committee recommended I.E.

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#### **HB** 4534 Rep. Kowall

Weapons; concealed; forfeiture of concealed weapons carried in violation of Michigan penal code; make subject to forfeiture provisions of firearms act.

Amends sec. 239 of 1931 PA 328 (MCL 750.239).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 49, page 857.

## HB 4543 Rep. Basham

Crimes; weapons; penalties for certain crimes involving firearms; increase.

Amends secs. 233, 234d, 234e, 234f, 235 & 237 of 1931 PA 328 (MCL 750.233 et seq.).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

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#### **HB** 4544 Rep. Howell

Crimes; larceny; larceny of firearm; increase penalty and prohibit possession of stolen firearm.

Amends sec. 357b of 1931 PA 328 (MCL 750.357b).

I.E. House, May 20, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

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## HB 4641 Rep. Godchaux

Explosives; other; age requirements for purchase of explosives; increase.

Amends secs. 5 & 15 of 1970 PA 202 (MCL 29.45 & 29.55).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### **GENERAL ORDERS**

## **HB** 4642 Rep. Thomas

Explosives; other; teaching of explosives on the internet; prohibit.

Amends sec. 528a of 1931 PA 328 (MCL 750.528a).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

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## HB 4643 Rep. Woronchak

Explosives; other; penalty for possessing an explosive when that violation results in the death of another individual or serious impairment of a body function of another individual; increase.

Amends secs. 209a & 212a of 1931 PA 328 (MCL 750.209a & 750.212a).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

### SB 447 Sen. Emmons

Education; attendance; eligibility to start kindergarten; change to age 5 on September 1.

Amends sec. 1147 of 1976 PA 451 (MCL 380.1147).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 28 \_\_\_\_

## SB 663 Sen. Bennett

Labor; collective bargaining; executives and public school administrators; exempt.

Amends sec. 1 of 1947 PA 336 (MCL 423.201).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 29 \_\_\_\_\_

#### SB 275 Sen. Young

Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81c.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 30 \_\_\_\_\_

## SB 774 Sen. Young

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering operator or passenger of public transit vehicle; enact.

Amends sec. 16d, ch. XVI of 1927 PA 175 (MCL 777.16d).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 31 \_\_\_\_\_

#### SB 451 Sen. Rogers

Worker's compensation; disabilities; occupational cancer; provide presumption for certain firefighters regarding. Amends sec. 405 of 1969 PA 317 (MCL 418.405).

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 32 \_\_\_\_\_

## SB 717 Sen. Rogers

Single business tax; credit; youth apprentice program; extend sunset.

Amends sec. 38e of 1975 PA 228 (MCL 208.38e).

Reported by Committee on Finance.

Committee recommended I.E.

#### RESOLUTIONS

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#### (Consideration postponed until Wednesday, October 13.)

**SR 82** Sen. Emerson

A resolution observing October 1999 as Child Health Month.

For text of resolution, see Senate Journal No. 62, page 1354.

Rules suspended, consideration postponed, Wednesday, September 29.

Adoption pending.

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#### SCR 21 Sen. Rogers

A concurrent resolution to memorialize the Congress of the United States to enact legislation to repeal the inheritance tax for farmers.

Reported by Committee on Finance.

For text of resolution, see Senate Journal No. 61, page 1339.

Adoption pending.

## **COMMITTEE REPORTS**

35 \_\_\_\_

### SB 709 Sen. Goschka

Property tax; assessments; certain transfers of property between certain family members; exempt from "transfer of ownership" definition.

Amends sec. 27a of 1893 PA 206 (MCL 211.27a).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 36 —

## HB 4426 Rep. DeRossett

Taxation; state real estate transfer; exemption for transfer of property constructed by students; provide for.

Amends sec. 6 of 1993 PA 330 (MCL 207.526).

I.E. House, June 9, 1999.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3 701

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## (Eligible for passage Monday, October 11.)

HB 4844 Rep. Faunce

Economic development; plant rehabilitation; requirement for an approval resolution by the local unit of government from which the employment is to be transferred and definition of industrial property; eliminate and modify.

Amends secs. 2, 4 & 9 of 1974 PA 198 (MCL 207.552 et seq.).

I.E. House, October 5, 1999.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

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## SCR 22 Sen. Sikkema

A concurrent resolution to memorialize the Congress of the United States to investigate antitrust violations in the agricultural processing industry.

Reported by Committee on Farming, Agribusiness and Food Systems.

For text of resolution, see Senate Journal No. 62, page 1353

Refer to Resolutions pursuant to Rule 3.106.

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#### SCR 23 Sen. Sikkema

A concurrent resolution to memorialize the Congress of the United States to enact legislation to require price reporting for agricultural products.

Reported by Committee on Farming, Agribusiness and Food Systems.

For text of resolution, see Senate Journal No. 62, page 1354.

Refer to Resolutions pursuant to Rule 3.106.

## LAID ON TABLE

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HB 4532 Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Reported without recommendation.

#### **SCHEDULED MEETINGS**

**Appropriations -** Thursday, October 7, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

#### Subcommittee -

**Environmental Quality -** Wednesday, October 13, 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Administrative Rules, Joint -** Thursday, October 7, 9:00 a.m., Room 402, Capitol Building (373-3543)

#### SCHEDULED MEETINGS

**Banking and Financial Institutions -** Thursday, October 7, 2:30 p.m., Room 210, Farnum Building (373-1801)

**Human Resources, Labor, Senior Citizens and Veterans Affairs -** Thursday, October 14, 9:45 a.m., Elijah Myers Room, Capitol Building (373-2420)

**Michigan Capitol Committee -** Wednesday, October 13, 12:00 Noon, Room H-41, Ground Floor, Capitol Building (373-0289)